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Trial of ITT Aide Is Delayed as U.S. Fears Disclosures

By a WALL STREET JOURNAL Staff Reporter

WASHINGTON — The Justice Department's fears about disclosure of sensitive intelligence matters delayed the trial of an executive of International Telephone & Telegraph Corp.

The jury for the trial of Robert Berrellez, the ITT executive, was dismissed yesterday, one day after it had been empaneled. At the same time, federal Judge Aubrey Robinson gave the government until next Monday to "determine whether it can go ahead with the case," one of Judge Robinson's law clerks said.

The Justice Department hopes to prove that Mr. Berrellez lied to a congressional committee and a government agency about ITT's role in efforts to block the 1970 election of Salvador Allende as President of Chile. But government officials fear that the prosecution could disclose sensitive matters arising from the tangled relationships between the Central Intelligence Agency, ITT and certain prominent Chileans.

It's understood that on Monday, the day the Berrellez trial opened, Judge Robinson refused the government's request for a new protective order in the case. That protective order, in effect, would have limited testimony at the trial to matters that the prosecutors believed were relevant to the case.

The government apparently is considering whether to appeal the judge's denial of its request for strict limits on what can be disclosed at the trial. But Justice Department officials said that one option that has received considerable discussion at the top levels of the department is to drop the case altogether.

Prosecutors already have amended their criminal charge against Mr. Berrellez to remove a reference to meetings between ITT officials, and Hernan Cubillos, a former Chilean newspaper executive who is currently that country's foreign minister.

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